

EXHIBIT G



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JUSTIN LESKO			FULLER, RODNEY EVAN	
LAW OFFICES OF STEVEN G. LISA, LTD.			ART UNIT	
C/O INTELLEVATE, LLC.			PAPER NUMBER	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<i>Applicant-Initiated Interview Summary</i>	Application No.	Applicant(s)		
	15/188,736	KONICEK, JEFFREY C.		
	Examiner	Art Unit	AIA (First Inventor to File) Status	Page
	RODNEY FULLER	2852	No	1 of 2

All participants (applicant, applicant's representative, PTO personnel):

1. RODNEY FULLER (Primary Examiner);
Telephonic
2. Justin Lesko (Attorney); Telephonic
3. Jeffrey Konicek (Inventor); Telephonic

Date of Interview: 07 December 2017

Claim(s) discussed: 21

Identification of prior art discussed: Colby (US 2003/0030731)

Amendment Proposed: Applicant added limitations related to limiting cellular network access fees in claim 21 apparently to overcome the current rejection.

Brief Description of main topic of discussion: Applicant reviewed the current invention in particular to uploading data wherein the invention limits potential cellular network fees. The applicant reviewed the current application to show support for the proposed amendments.

Issues Discussed:

Proposed Amendments:

The examiner acknowledged that the proposed amendments would likely overcome the current rejection. However, an updated search would need to be conducted in light of the new limitations added to claim 21.

Attachment(s): Proposed Amendments

/RODNEY FULLER/ Primary Examiner, Art Unit 2852	
<p>Applicant recordation instructions: The formal written reply to the last Office action must include the substance of the interview. (See MPEP section 713.04). If a reply to the last Office action has already been filed, applicant is given a non-extendable time limit of the longer of one month or thirty days from this interview date, or the mailing date of this interview summary form, whichever is later, to file a statement of the substance of the interview.</p> <p>Examiner recordation instructions: Examiners must summarize the substance of any interview of record. A complete and proper recordation of the substance of an interview should include the items listed in MPEP 713.04 for complete and proper recordation including the identification of the general thrust of each argument or issue discussed, a general indication of any other pertinent matters discussed regarding patentability and the general results or outcome of the interview, to include an indication as to whether or not agreement was reached on the issues raised.</p> <p>Applicant is reminded that a complete written statement as to the substance of the interview must be made of record in the application file. It is the applicant's responsibility to provide the written statement, unless the interview was initiated by the Examiner and the Examiner has indicated that a written summary will be provided. See MPEP 713.04</p> <p>Please further see:</p> <p>MPEP 713.04 Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews, paragraph (b) 37 CFR § 1.2 Business to be transacted in writing</p>	

PTOL-413/413b (Rev. 01/01/2015)

Interview Summary

Paper No. 20171207

SN 15/188,736 – PROPOSED CLAIM AMENDMENT

21. (Currently Amended) A camera system comprising:

(a) a camera that is operable to take and store pictures, and that includes: (i) a lens, (ii) an image sensor, (iii) at least one microphone, (iv) a voice recognizer, (v) a controller, (vi) a ~~WiFi~~ cellular interface, and (vii) a touch sensitive display;

(b) the controller including a control program having instructions to control and respond to the voice recognizer;

(c) the voice recognizer coupled to the at least one microphone and the controller, and configured to receive and process sounds into recognized words;

(d) the camera further configured to maintain and store a plurality of recognizable words having different plain meanings and commonly associated with taking a picture, the recognition of any of which will cause the camera to take a picture;

(e) wherein the voice recognizer is operable to receive a first and a second human sound spoken by the same person, and the voice recognizer is operable to recognize using speaker-independent voice-recognition:

(i) the first human sound as a first human spoken word from among the plurality, the recognized first human spoken word being assigned by the control program to be a command for the camera to take a picture, and

(ii) the second human sound as a second human spoken word from among the plurality, the recognized second human spoken word being different from the first human spoken word and also simultaneously assigned by the control program to be the same camera command to take a picture;

(f) the controller configured to:

(i) cause the camera to take a picture in response to the voice recognizer recognizing either the first or second human spoken word and to save the picture in a local memory in the camera;

~~(ii) receive, via the touch sensitive display, a user selection of an upload option that instructs the device to confine automatic picture upload to periods without potential cellular network access fees; and~~

(iii) automatically upload designated pictures previously selected from among a group of pictures saved in the local memory of the camera, the designated pictures uploaded via the ~~WiFi-cellular~~ interface and an internet connection from the camera system to a user-selected account associated with an email address at an internet picture hosting website as instructed by a user of the camera, but the automatic upload occurring only if predetermined conditions are met, the predetermined conditions including at least the controller receiving:

~~(1) an indication from the cellular interface that the upload is acceptable based on the selected upload option;~~

~~(2) an indication from the ~~WiFi-cellular~~ interface that the system can make an internet connection via the ~~WiFi-cellular~~ interface; and~~

~~(3) an indication from the local memory that a user has elected an option to designate at least one picture from the group of pictures saved in the local memory to be uploaded to the internet picture hosting website.~~

SN 15/188,736 - OUTLINE OF DISTINCTIONS OVER THE ART

References	Applicant's Invention	Advantages/Support
<p>ROTHSCHILD: Where Rothschild describes the upload process in detail at [0047]-[0056], Rothschild describes that an <i>intermediary</i> computer (and not the camera) handles uploading to the internet site:</p> <p>[0053] The user will now <i>transfer the images to his local computer workstation</i> which may or may not be connected to the Global Computer Network via transmission module 112 (step 308). When the computer receives these imbedded 'smart pix' images, <u><i>the computer will:</i></u></p> <p>....</p> <p>[0056] c. With a connection to the Global Computer Network, automatically upload the photos and associated attached files to the specified server site (Ofoto, or Smartpix, for instance) for storage and retrieval.</p> <p>Therefore, Rothschild fails to disclose automatic upload from the camera.</p> <p>Because Rothschild's upload is completed by an intermediate computer (and not the handheld device), the computer does not use a cellular connection, nor is it concerned with confining the upload to periods of cheaper cellular network access (avoiding roaming charges, etc.), as part of an automatic upload process.</p> <p>MONTULLI REFERENCES: In the descriptions of cellular upload provided in '348 Montulli and '349 Montulli, the device does not account for <i>cellular network access fees</i> (such as cheaper network access, roaming, etc.) in determining whether to upload images (and more importantly, whether to upload images automatically as claimed by Applicant).</p> <p>Montulli '349 at [0008] describes background art purportedly addressed to uploading images using the cellular network. Avoiding network access fees (not roaming, etc.) is not described as a condition for any automatic upload.</p> <p>Montulli '348 at [0011] describes that an upload</p>	<p>Claim 21 Element (f):</p> <p>(f) the controller configured to...</p> <p>(ii) receive, via the touch sensitive display, a user selection of an upload option that instructs the device <i>to confine automatic picture upload to periods without potential cellular network access fees</i>; and</p> <p>(iii) automatically upload designated pictures previously selected from among a group of pictures saved in the local memory of the camera, the designated pictures uploaded via the cellular interface and an internet connection from the camera system to a user-selected account associated with an email address at an internet picture hosting website as instructed by a user of the camera, but the automatic upload occurring only if predetermined conditions are met, the predetermined conditions including at least the controller receiving:</p> <p>(1) <i>an indication from the cellular interface that the upload is acceptable based on the selected upload option</i>;</p> <p>(2) an indication from the cellular interface that the system can make an internet connection via the cellular interface; and</p> <p>(3) an indication from the local memory that a user has elected an option to designate at least one picture from the</p>	<p>Applicant's inventive system allows the user to confine the automatic upload to periods of cheaper network access to avoid additional fees (in conjunction with the ability to designate a subset of the photos for upload, as previously discussed).</p> <p>Specification at [0038]:</p> <p>Additionally, the inventive camera system is preferably operable so that the <i>automatic connection</i> is made only at certain times of the day or weekends, <i>etc., so as to confine picture transmission to periods of low network usage or periods of cheaper network access</i>, etc.</p> <p>Specification at [0044], further describes possible fees associated with a cellular upload (which the inventor sought to avoid in certain embodiments):</p> <p>Cellular service providers typically charge a fee for internet access or emailing and so an automatic feature to connect to the net or send email for the purposes of transmitting pictures can improve revenue generation for these</p>

<p>system communicates over cellular protocol, but nothing regarding cellular network access fees is involved.</p> <p>Montulli '348 at [0019] describes file transfer between cell phones , and also says nothing about confining to periods without fees.</p> <p>Montulli '349 at [0021] and Montulli '348 at [0024] also describe that the device makes a call by dialing the modem of a computer and uses the POTS network to attempt to transfer images. Avoiding fees is not a condition for that transfer process.</p> <p>COLBY: Colby (alone or in combination with other references) fails to disclose or suggest the claim for the reasons previously discussed – namely, the upload is not automatic, dependent upon user-designation of photos.</p> <p>Also, like the references above, Colby does not describe <i>confining the upload to periods without cellular network access fees</i>. Although Colby instructs the camera to complete uploads “at a specific time of day” [0046], the upload conditions do not relate to network status (and specifically cost) for the device.</p>	<p>group of pictures saved in the local memory to be uploaded to the internet picture hosting website.</p>	<p>companies.</p>
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Title : PICTURES USING VOICE COMMANDS AND AUTOMATIC UPLOAD
Serial. No. : 15/188,736 Confirmation No. : 1033
Applicant : Jeffrey C. Konicek TC/A.U. : 2852
Filed : June 21, 2016 Examiner : Rodney E. Fuller

Docket No. : Torpere-F04-513
Customer No. : 107554

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

AMENDMENT AFTER FINAL OFFICE ACTION

Dear Examiner:

This submission is responsive to the Office Action issued in the above-captioned application dated June 19, 2017. A request for a three month extension of time, together with the required fee, is provided herewith. Applicant also attaches herewith a Form SB-434 Certification and Request for Consideration Under the After Final Consideration Pilot Program 2.0.

Amendments to the Claims begin on page 2 below.

Applicant's Remarks begin on page 6 below.

AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application.

1 – 20. (Canceled)

21. (Currently Amended) A camera system comprising:

(a) a camera that is operable to take and store pictures, and that includes: (i) a lens, (ii) an image sensor, (iii) at least one microphone, (iv) a voice recognizer, (v) a controller, (vi) a ~~cellular~~WiFi interface, and (vii) a touch sensitive display;

(b) the controller including a control program having instructions to control and respond to the voice recognizer;

(c) the voice recognizer coupled to the at least one microphone and the controller, and configured to receive and process sounds into recognized words;

(d) the camera further configured to maintain and store a plurality of recognizable words having different plain meanings and commonly associated with taking a picture, the recognition of any of which will cause the camera to take a picture;

(e) wherein the voice recognizer is operable to receive a first and a second human sound spoken by the same person, and the voice recognizer is operable to recognize using speaker-independent voice-recognition:

(i) the first human sound as a first human spoken word from among the plurality, the recognized first human spoken word being assigned by the control program to be a command for the camera to take a picture, and

(ii) the second human sound as a second human spoken word from among the plurality, the recognized second human spoken word being different from the first human spoken word and also simultaneously assigned by the control program to be the same camera command to take a picture;

(f) the controller configured to:

(i) cause the camera to take a picture in response to the voice recognizer recognizing either the first or second human spoken word and to save the picture in a local memory in the camera;

~~(ii) receive, via the touch sensitive display, a user selection of an upload option that instructs the device to confine automatic picture upload to periods without potential cellular network access fees; and~~

(ii) automatically upload designated pictures previously selected from among a group of pictures saved in the local memory of the camera, the designated pictures uploaded via the ~~cellular~~WiFi interface and an internet connection from the camera system to a user-selected account associated with an email address at an internet picture hosting website as instructed by a user of the camera, but the automatic upload occurring only if predetermined conditions are met, the predetermined conditions including at least the controller receiving:

(1) ~~an indication from the cellular interface that the upload is acceptable based on the selected upload option;~~

(2) an indication from the ~~cellular~~WiFi interface that the system can make an internet connection via the ~~cellular~~WiFi interface; and

(3) an indication from the local memory that a user has elected an option to designate at least one picture from the group of pictures saved in the local memory to be uploaded to the internet picture hosting website.

22. (Previously Presented) The camera system of claim 21 wherein the system further comprises a cell phone.

23. (Previously Presented) The camera system of claim 22 wherein the controller is configured to determine if the recognized word is for one of either a camera operation or a cell phone operation.

24. (Previously Presented) The camera system of claim 22 wherein the voice recognizer is configured to recognize at least one spoken word to control dialing of the cell phone.

25. (Previously Presented) The camera system of claim 22 wherein the voice recognizer is configured to recognize spoken words in association with text messaging over the cell phone.

26. (Previously Presented) The camera system of claim 21 wherein the controller is further configured to execute an internet browser program and display the internet picture hosting website on the touch sensitive display.
27. (Canceled).
28. (Previously Presented) The camera system of claim 21 wherein the plurality of recognizable words having different plain meanings and commonly associated with taking a picture are pre-assigned.
29. (Previously Presented) The camera system of claim 21 wherein the camera is configured to learn words from user input for the voice recognizer to recognize and for the controller to associate with specific commands.
30. (Previously Presented) The camera system of claim 21 wherein the camera includes an indicator that is activated if the voice recognizer is unable to recognize a command from a sound received at the microphone.
31. (Previously Presented) The camera system of claim 21 wherein one of the words is "snap."
32. (Previously Presented) The camera system of claim 21 wherein one of the words is "cheese."
33. (Previously Presented) The camera system of claim 21 wherein one of the words is "shoot."
34. (Previously Presented) The camera system of claim 21 wherein one of the words is "click."
35. (Previously Presented) The camera system of claim 21 wherein the voice recognizer is configured to receive and process a third human sound to be recognized as a third word that is different from the first and second words and is used by the control program to perform a second camera command.

36. (Previously Presented) The camera system of claim 35 wherein the controller is configured to delay the second camera command for an intentional period of time after the voice recognizer recognizes the third word.

37. (Previously Presented) The camera system of claim 21 further comprising a zoom lens coupled to the controller, wherein the controller is configured to accept user input from the touch sensitive display screen to determine the amount of zoom to be imparted to the zoom lens.

38. (Previously Presented) The camera system of claim 21 wherein the controller is configured to receive input regarding focus of the lens from the touch sensitive display.

39. (Previously Presented) The camera system of claim 21 wherein the controller is configured to cause pictures to be uploaded over the internet for storage at an internet picture hosting website and to be transmitted to another party.

40. (Previously Presented) The camera system of claim 21 wherein the controller is configured to enable the user to select specific pictures saved in the local memory to be uploaded to the internet picture hosting website.

REMARKS

Applicant is in receipt of the Examiner's June 19, 2017 Final Office Action ("FOA"). Claims 21-26 and 28-40 are currently pending.

Examiner Interview Summary

Counsel of record Justin Lesko, the inventor Jeff Konicek, and the Examiner Rodney Fuller conducted an interview on December 7, 2017. During the interview, Applicant presented this amendment and explained that the claims as amended are in condition for allowance.

The Examiner asked whether the amended claims are supported by the specification. Applicant pointed to at least Paragraph [0038] of the specification, which discusses "confin[ing] picture transmission to periods of low network usage or periods of cheaper network access." Applicant explained to the Examiner that this statement is applicable to cellular uploads as claimed, and the Examiner agreed.

The Examiner asked whether the current claims are patentable over Colby (Pub. No. 2003/0030731), which purportedly allows a user to "designate a time of day" for picture uploads. Applicant distinguished the present claims from a "timer." Specifically, Applicant used the hypothetical example of an egg timer vs. a device that determines when an egg is actually finished. In a timer scenario, cook time is set – and the device will stop cooking the egg at a designated time, regardless of whether the egg is "done." On the other hand, a device that actually determines whether an egg is "done" monitors the specific conditions of the egg and only stops cooking it when the conditions are right. Applicant's invention is comparable to the latter example and offers many explicit benefits over a simple timer. For example, a simple timer for picture upload (i.e., setting the upload for 8 PM) would still result in charges to a user's account if the user is "roaming" at the designated time that the upload begins. In short, a timer does not adequately prevent roaming or other network charges that can be incurred during photo uploads. Applicant also pointed out that the Colby reference fails to disclose or suggest the claims for many other reasons, and urged the Examiner to review the claims as a whole in determining their patentability.

The Examiner and Applicant agreed that Montulli and Rothschild are not direct to automatic uploads over a cellular network.

Finally, the Examiner agreed that the current rejection was overcome, but stated that he needed additional time to consider whether the claims are in condition for allowance. Applicant agreed to submit an after final amendment under the AFCP 2.0.

Accordingly, in the interest of compact prosecution, and without prejudice to our disclaimer of the previously claimed subject matter (which Applicant reserves the right to pursue in this or a related application), Applicant has amended Claim 21.

In view of the above, Applicant believes that claims 21-26 and 28-40 are in condition for allowance. If the Examiner has any questions or believes an interview would expedite prosecution of this case, please contact the undersigned.

Respectfully Submitted,

/Justin J. Lesko/

Justin J. Lesko

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Dated: December 11, 2017

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